

Exhibit E

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

LIBERTY RESOURCES, INC.;
DISABLED IN ACTION OF
PENNSYLVANIA, INC.;
PHILADELPHIA ADAPT; TONY
BROOKS; LIAM DOUGHERTY; FRAN
FULTON; and LOUIS OLIVO,

Plaintiffs,

-against-

THE CITY OF PHILADELPHIA,

Defendant.

Case No. 19-cv-03846

**PLAINTIFFS' RULE 26(a)(3) PRETRIAL
DISCLOSURES**

Judge: Hon. Harvey Bartle III

Trial Pool Date: December 1, 2021

Plaintiffs Liberty Resources, Inc.; Disabled In Action of Pennsylvania, Inc.; Philadelphia ADAPT; Tony Brooks; Liam Dougherty; Fran Fulton; and Louis Olivo, by and through their attorneys, make the following disclosures pursuant to Rule 26(a)(3) of the Federal Rules of Civil Procedure.

I. RULE 26(a)(3)(A)(i): IDENTIFICATION OF WITNESSES

A. Witnesses Plaintiffs Expect to Present

Plaintiffs expect to call the following witnesses:

1. Thomas Earle, CEO of Liberty Resources, Inc., c/o Plaintiffs' counsel;
2. Nancy Salandra, Director of Living Services, Liberty Resources, c/o Plaintiffs' counsel;
3. German Parodi, President of the Board of Directors, Disabled In Action of Pennsylvania, c/o Plaintiffs' counsel;
4. Tony Brooks, c/o Plaintiffs' counsel;
5. Fran Fulton, c/o Plaintiffs' counsel;
6. Louis Olivo, c/o Plaintiffs' counsel;
7. Josh Safdie, Managing Principal, KMA, LLC, c/o Plaintiffs' counsel;

8. Michael Carroll, Deputy Managing Director for Transportation, Infrastructure & Sustainability, City of Philadelphia, c/o Defendant's counsel;
9. Nancy Sen, Director of Transportation Planning & Analysis, Streets Department, City of Philadelphia, c/o Defendant's counsel

B. Witnesses Plaintiffs May Call if the Need Arises

1. Latoya Maddox, Organizer, Philly ADAPT, c/o Plaintiffs' counsel;
2. Morgan Hugo, Recording Secretary, DIA-PA; Member, Philly ADAPT; Independent Living Specialist, Liberty Resources; c/o Plaintiffs' counsel;
3. Kenneth Brown, c/o Plaintiffs' counsel;
4. Caitlin Chasar, c/o Plaintiffs' counsel;
5. Orlando Acosta, c/o Plaintiffs' counsel;
6. Hadley Yates, c/o Plaintiffs' counsel;
7. Michelle McCandles, c/o Plaintiffs' counsel;
8. Matthew Pillischer, c/o Plaintiffs' counsel;
9. Sunil Gill, Engineering Manager, Transportation Planning and Analysis Unit, Streets Department, City of Philadelphia, c/o Defendant's counsel;
10. Dan Call, Senior Lead GIS Analyst, Office of Innovation and Technology, City of Philadelphia, c/o Defendant's counsel;
11. Steve Mottershead, Planner, Streets Department, City of Philadelphia, c/o Defendant's counsel;
12. Taiseer Kamal, Streets Department ADA Coordinator, City of Philadelphia, c/o Defendant's counsel;
13. Nefertiri Sickout, Chief Diversity, Equity & Inclusion Officer, City of Philadelphia, c/o Defendant's counsel;
14. Carlton Williams, Commissioner, Streets Department, City of Philadelphia, c/o Defendant's counsel;
15. Ankitkumar Patel, Streets Department, City of Philadelphia, c/o Defendant's counsel;
16. Kisha Duckett, Right-of-Way Manager, Streets Department, City of Philadelphia, c/o Defendant's counsel;

17. The City of Philadelphia's current and former Executive Directors of the Mayor's Commission on People with Disabilities, c/o Defendant's counsel, including:
 - a. Roger Margulies,
 - b. Charles Horton,
 - c. Koert Wehberg;
18. The City of Philadelphia's current and former citywide ADA Coordinators, c/o Defendant's counsel, including:
 - a. Debora Russo Haines, former Accessibility Compliance Officer,
 - b. Daniel Lopez, former ADA Coordinator,
 - c. Saron McKee, former Director of ADA Compliance;
19. Andrew Schwarz, Partner, OSKR, c/o Plaintiffs' counsel;
20. Robert Thomas, Partner, Campbell Thomas & Company, c/o Plaintiffs' counsel;
21. Bill Hecker, Principal, Hecker Design, LLC, c/o Defendant's counsel;
22. S. Lynne Stokes, Ph.D., Professor, Department of Statistical Science at Southern Methodist University, c/o Defendant's counsel;
23. Any and all witnesses identified by Defendant;
24. Any and all witnesses called by Defendant;
25. Any impeachment and rebuttal witnesses as necessary;
26. Any custodian of records necessary to authenticate documents.

II. RULE 26(A)(3)(A)(II): DEPOSITION DESIGNATIONS

A. Plaintiffs Expect to Use

1. Michael Carroll—Plaintiffs expect to use testimony from both of Mr. Carroll's depositions, in his capacity as an individual employed by Defendant, and in his capacity as a Rule 30(b)(6) deponent designated by Defendant, regarding Defendant's policies, procedures and practices pertaining to the installation, alteration and maintenance of curb ramps, and Defendant's policies and practices concerning remediation requests received from members of the public.

2. Nancy Sen—Plaintiffs expect to use testimony from Ms. Sen’s deposition regarding Defendant’s policies, procedures and practices pertaining to the installation, alteration and maintenance of curb ramps, and Defendant’s policies and practices concerning remediation requests received from members of the public.

B. Plaintiffs May Use if The Need Arises

1. Josh Safdie—Plaintiffs may use testimony from Mr. Safdie’s deposition regarding his expert architectural survey and report of select curb ramps within the City of Philadelphia.
2. Robert Thomas—Plaintiffs may use testimony from Mr. Thomas’s deposition regarding his expert architectural survey and report of select curb ramps within the City of Philadelphia.
3. Andrew Schwarz—Plaintiffs may use excerpts from Mr. Schwarz’s deposition regarding his sampling and statistical analysis.
4. Bill Hecker—Plaintiffs may use excerpts from Mr. Hecker’s deposition regarding his expert rebuttal report.
5. S. Lynne Stokes, Ph.D.—Plaintiffs may use excerpts from Dr. Stokes’ deposition regarding her expert rebuttal report.

III. RULE 26(a)(3)(A)(i): IDENTIFICATION OF EXHIBITS

Plaintiffs may offer the following exhibits and/or documents:

1. City of Philadelphia’s Answers to Plaintiffs’ First Set of Interrogatories.
2. City of Philadelphia’s Answers to Plaintiffs’ Second Set of Interrogatories.
3. City of Philadelphia’s Answers to Plaintiffs’ First Set of Requests for Admissions.
4. City of Philadelphia’s Responses to Plaintiffs’ First Requests for Production of Documents.
5. Declaration of Sunil Gill in Support of City of Philadelphia’s Motion for Partial Summary Judgment.
6. Supplemental Declaration of Sunil Gil in Support of City of Philadelphia’s Opposition to Plaintiffs’ Motion for Partial Summary Judgment.
7. Declaration of Dan Call in Support of City of Philadelphia’s Motion for Partial Summary Judgment.
8. Expert Report of Josh Safdie, and appendices and exhibits thereto.
9. Expert Report of Robert Thomas, and appendices and exhibits thereto.
10. Expert Report of Andrew Schwarz, and appendices and exhibits thereto.

11. Expert Rebuttal Report of Bill Hecker, and appendices and exhibits thereto.
12. Expert Rebuttal Report of S. Lynne Stokes, Ph.D., and appendices and exhibits thereto.
13. Declaration of Caitlin Chasar in support of Motion for Class Certification.
14. Declaration of Fran Fulton in support of Motion for Class Certification.
15. Declaration of German Parodi in support of Motion for Class Certification.
16. CITY0000104 (Excel spreadsheet assessing ADA ramps (inspected 2013-2014))
17. CITY0000105–CITY0000107 (Mayor’s Office of Transportation and Utilities: Meeting Notes- Meeting with ADAPT, 7/22/14); Ex. 11 to Carroll Depo.
18. CITY0000108 (Excel spreadsheets containing complaints about ADA accessible ramps)
19. CITY0000109 (Multiple excel spreadsheets containing 311 service requests for ADA partner / ramps); Ex. 34 to Sen Depo.
20. CITY0000110 (Multiple excel spreadsheets containing 311 service requests for ADA partner / ramps, and information re: previous inspections of ADAP)
21. CITY0000111 (Multiple excel spreadsheets tracking special requests received)
22. CITY0000119–CITY0000128 (“Paving and Curb Ramps” presentation by the Streets Department, 3/11/13)
23. CITY0000370–CITY0000376 (ADA Curb Ramp Partnership- June 16, 2014 Meeting); Ex. 9 to Carroll Depo.
24. CITY0000377–CITY0000389 (ADA Curb Ramp Partnership- July 22, 2014 Follow-up Meeting); Ex. 30 to Sen Depo.
25. CITY0000390–CITY0000392 (Email from Daniel Lopez to Nancy Sen and Morgan Hugo re: curb cut issues, 7/11/18)
26. CITY0000398–CITY0000401 (Email from Steve Mottershead to Nancy Sen and Morgan Hugo re: curb cut issues, 4/4/18)
27. CITY0000402–CITY0000404 (Email from Nancy Sen to Morgan Hugo re: curb cut issues, 4/6/18)
28. CITY0000405–CITY0000406 (Email from Daniel Lopez to Liam Dougherty re: curb cut issues, 5/10/18)
29. CITY0000410–CITY0000411 (Email from Nancy Sen to Morgan Hugo and Daniel Lopez re: curb cut issues with response letter attached, 7/10/18); Ex. 31 to Sen Depo.

30. CITY0000412 (Street Department response to curb cut complaints-attachment to CITY0000410- CITY0000411, 7/10/18); Ex. 31 to Sen Depo.
31. CITY0000413–CITY0000414 (Email from Daniel Lopez to Liam Dougherty re: ADA information for meeting, 6/14/18)
32. CITY0000417–CITY0000418 (Email from Daniel Lopez to Liam Dougherty re: agenda for meeting, 6/13/18)
33. CITY0000419–CITY0000420 (Email from Nancy Sen to Morgan Hugo re: curb cut issues at Broad & Chestnut, 4/3/18)
34. CITY0000434–CITY0000435 (Email from Morgan Hugo to Nancy Sen re: curb cut issues at 13th and Market, 3/26/18)
35. CITY0000436–CITY0000441 (Email from Morgan Hugo to Steve Mottershead and Nancy Sen re: curb cut issues, 4/4/18)
36. CITY0000442–CITY0000447 (Email from Steve Mottershead to Morgan Hugo and Nancy Sen re: curb cut issues at 10th and Clinton, 4/4/18)
37. CITY0000448–CITY0000451 (Email from Steven Mottershead to Morgan Hugo and Nancy Sen re: curb cut issues at 10th and Clinton, 4/4/18)
38. CITY0000452–CITY0000453 (Email from Charles Horton to Nancy Sen and Morgan Hugo re: curb cut issues, 3/27/18)
39. CITY0000454–CITY0000458 (Email from Morgan Hugo to Steve Mottershead and Nancy Sen re: curb cut issues at 10th and Clinton, 4/4/18)
40. CITY0000461–CITY0000462 (Email from Nancy Sen to Morgan Hugo re: curb cut issues at Broad and Chestnut and 13th and Market, 3/26/18)
41. CITY0000463–CITY0000466 (Email from Morgan Hugo to Daniel Lopez and Nancy Sen re: website responsiveness in reporting curb cut issues, 7/11/18)
42. CITY0000470–CITY0000475 (Email from Morgan Hugo to Steve Mottershead and Nancy Sen re: 2019 ADA Ramp Request and public availability, 4/4/18); Ex. 33 to Sen Depo.
43. CITY0000477–CITY0000478 (Email chain between German Parodi, Charles Carmalt and Michael Carroll re: ADAPT meeting with Deputy Mayor Rina Cutler; July 2013); Ex. 3 to Carroll Depo.
44. CITY0000730–CITY0000893 (Philadelphia Complete Streets Design Handbook, 2017)
45. CITY0000894 (Excel spreadsheets containing 311 complaints about ADA accessible ramps- 2018)
46. CITY0000895 (2) (Constituent complaints ranging from 04/2019-12/2019)

47. CITY0000896 (2) (Constituent requests ranging from 04/2019-12/2019)
48. CITY0000902 (Spreadsheet showing curb ramp budgets for Fiscal Years 2010-2020); Ex. 39 to Sen Depo.
49. CITY0000903–CITY0000911 (Internal City memo re: justification for ceasing to follow *Kinney*, 5/17/13) (Marked “Confidential”); Ex. 2 to Carroll Depo.
50. CITY0000912 (9/10/12 Letter from Procurement Department (City of Philadelphia) to Scott Building Corp informing them they have been awarded funds for Delaware Ave Greenway (Tiger 9) ADA Ramps Project, City Bid No. 3725ECMS)
51. CITY0000915 (ADA Curb Ramp Survey for Rating Destinations Near Intersections on the Local Roadway Network, 2014)
52. CITY0000916 (9/16/11 Letter from Procurement Department (City of Philadelphia) to Petrongolo Contractors Inc. informing them they have been awarded funds for: 58th Street greenway, Decorative lights, ADA Ramps, City Bid No. 3724ECMS); Ex. 28 to Sen Depo.
53. CITY0000917 (Results of 2014 ADA Curb Ramp Survey for rating destinations near intersections on the Local Roadway Network)
54. CITY0000918 (7/12/11 Letter from Procurement Department (City of Philadelphia) to Seravalli Inc. informing them they have been awarded funds for Roxborough Streetscape, Ridge Ave ADA Ramps, City Bid No. 3716ECMS)
55. CITY0000924–CITY0000925 (ADA Technically Infeasible Form Instructions)
56. CITY0000932–CITY0000940 (Commissioners Directive to Establish Pilot Program Regarding Curb Ramp Prioritization and Rapid Response, Rev. August 30, 2013) (Marked “Confidential”)
57. CITY0000941–CITY0000949 (Commissioners Directive to Establish Pilot Program Regarding Curb Ramp Prioritization and Rapid Response, Rev. August 30, 2013) (Marked “Confidential”); Ex. 4 to Carroll Depo.
58. CITY0000954–CITY0000955 (ADA Technically Infeasible Form)
59. CITY0000961 (Appointment reminder from Charles Carmalt re: meeting with ADAPT on 12/2/13); Ex. 5 to Carroll Depo.
60. CITY0000956–CITY0000960 (District 6 Curb Ramp Design Form: CS-4401)
61. CITY0000962 (Agenda- Disabled in Action and Philly ADAPT Meeting, 12/2/13); Ex. 6 to Carroll Depo.
62. CITY0000963–CITY0000968, CITY0000974–CITY0000984 (Resurfacing Summary Reports)

63. CITY0001002–CITY0001020 (Listing of ramps at various intersections throughout the City)
64. CITY0001021–CITY0001028 (Ramp listing at various intersections throughout the City of Philadelphia); Ex. 37 to Sen Depo.
65. CITY0001029–CITY0001035 (Bid 3768 - 2014 Citywide ADA Ramp Contract)
66. CITY0001036–CITY0001039 (2016 Ramp Location List)
67. CITY0001040–CITY0001056 (2010 Resurfacing Summary Report)
68. CITY0001057–CITY0001069 (City of Philadelphia Department of Streets Amendment #2, 3/8/17)
69. CITY0001070- CITY0001086 (City of Philadelphia Department of Streets Amendment Acknowledgment #1, 4/20/16)
70. CITY0001087 (Streets Department's Notice to Proceed to James J. Anderson Construction, Inc., 5/10/16)
71. CITY0001092- CITY0001099 (Executive Summary, Sidewalk Policy TCDI Study, October 2019); Ex. 16 to Carroll Depo.
72. CITY0001100 (Survey ranking 20 destinations of importance)
73. CITY0001101 (Intersections ranked in a list from 1 to 199)
74. CITY0001102–CITY0001175 (Full TCDI Study, June 2018)
75. CITY0001176 (Export of GPIS Resurfacing Summary Report- Tally of Ramps Upgraded at Intersections- 2017 Market Street East- Raised Crosswalks, Date Completed 4/25/19)
76. CITY0001177–CITY0001178 (Letter from Drexel University students to Philadelphia Streets Department re: Drexel's ADA Curb Ramp Analysis and list of 27 curbs marked high priority, 5/7/15); Ex. 40 to Sen Depo.
77. CITY0001180 (Resurfacing Summary Report, 2017)
78. CITY0001181 (Analyses of ramps, description of condition, and whether or not they pass 1990 compliancy, 2014)
79. CITY0001182 (Export of GPIS Resurfacing Summary Report - Tally of Ramps Upgraded at Intersections, 2016)
80. CITY0001183- CITY0001185 (Resurfacing Summary Report, 2016); Ex. 35 to Sen Depo.
81. CITY0001186- CITY0001261 (Listing of FAM Network paving history (of various streets) from 1992 to 2019); Ex. 25 to Carroll Depo.
82. CITY0001262 (Various sheets outlining ramps at intersections and findings from ADA inspections)
83. CITY0001263- CITY0001583 (Listing of Local Network paving history from 1992 to 2019)

84. CITY0001584 (Ranking/scoring of 25,000+ ramps at various intersections); Ex. 26 to Carroll Depo.
85. CITY0001585- CITY0001629 (Philadelphia ADA Ramp Compliance: Sampling, Analysis & Design, 5/21/15); Ex. 12 to Carroll and Sen Depos.
86. CITY0001653- CITY0001654 (Summary of Deliverables: City of Philadelphia's ADA Self-Evaluation and Transition Plan, 3/3/20); Ex. 21 to Carroll Depo.
87. CITY0001655 (Spreadsheet showing movable barrier violations each year from 1994 to 2020); Ex. 46 to 30(b)(6) Depo.
88. CITY0001739 (Resurfacing Summary Report, 2019)
89. CITY0001740 (Explanation of ADA Curb Ramp Partnership Program)
90. CITY0001742 (ADA Evaluation Priority Map)
91. CITY0001744 (Resurfacing Summary Report, 2019)
92. CITY0001746 (Resurfacing Summary Report, 2020); Ex. 36 to Sen Depo.
93. CITY0001747 (ADA Ramps without Designs)
94. CITY0001748 (Resurfacing Summary Report)
95. CITY0001749-0001753 (Initiation and Funding Approval Form re: Bid #3863, Contract #208963, 3/17/20)
96. CITY0001754- CITY0001758 (Funding form and memo re: Bid # 3863, Contract #208963, 3/17/20)
97. CITY0001759- CITY0001761 (PennDOT Strike-Off letter, 11/14/08); Ex. 27 to Sen Depo.
98. CITY0001763- CITY0001787 (Right of Way Improvement Standards, Philadelphia Streets Department, June 2015); Ex. 13 to Carroll and Sen Depos.
99. CITY0001788 (ADA Technically Infeasible Form)
100. CITY0001815- CITY0001835 (Right of Way Improvement Standard, June 2015); Ex. 14 to Carroll Depo.
101. CITY0001856- CITY0001861 (Philadelphia Department of Streets-Regulations Governing the Construction of ADA-Compliant Curb Ramps, 8/20/14)
102. CITY0001983 (Email chain from William Gural to various recipients including Nancy Sen re ADA Ramp Acceptance, 1/22/15); Ex. 22 to Carroll Depo.
103. CITY0001987- CITY0002330 (ADA Reference Guide, PennDOT District 6-0, 6/20/17)
104. CITY0002371 (Cost and time estimates to upgrade ramps on the Local Network to 2010 Standards); Exs. 7 and 8 to Carroll Depo.

105. CITY0002372 (Spreadsheet)
106. CITY0002373 (Spreadsheet containing data re: Fiscal Years 1996 to 2014); Ex. 17 to Carroll Depo.
107. CITY0002374- CITY0002479 (Pedestrian and Bicycle Plan, April 2012); Ex. 45 to 30(b)(6) Depo.
108. CITY0002480- CITY0002481 (Email chain re: FHWA Matter- ADA Complaint Response, 1/24/18) (Marked "Confidential")
109. CITY0002492- CITY0002499 (Email chain between Daniel Lopez and Nancy Sen re: curb cut complaints, 7/11/18)
110. CITY0002500- CITY0002503 (Email chain between Nefertiri Sickout, Nancy Sen, Daniel Lopez and Charles Horton re: FHWA Matter - ADA Complaint Response, 2/13/18) (portions redacted by Defendant) (Marked "Confidential")
111. CITY0002526- CITY0002533 (Longer Email chain between Daniel Lopez and Nancy Sen re: responding to curb cut, 7/11/18)
112. CITY0002540- CITY0002547 (Email chain between Charles Horton and various City officials about meeting with disability advocates re: concerns about curb cuts, 7/11/18)
113. CITY0002557 (Email from Nancy Sen to Khan Mitchell, DOT, and other Philadelphia gov officials re: response to FHWA RFI letter, 2/15/18)
114. CITY0002558- CITY0002594 (Packet of various letters: from Streets Department to Khan Mitchell of DOT in response to Mr. Mitchell's correspondence dated October 20, 2017; FOIL records enclosed)
115. CITY0002599 (Email from Daniel Lopez to Nefertiri Sickout and Nolan Atkinson from Mayor's Office re: FHWA Matter/ADA Complaint and response, 1/24/18)
116. CITY0002637- CITY0002640 (Request for Information: DOT #2016-0212, Harris v. City of Philadelphia) (Marked "Confidential")
117. CITY0002641 (Email chain between Daniel Lopez, Nefertiri Sickout and Nolan Atkinson of Mayor's Office re: responding to complaints of discrimination and what the form of response will be, 3/12/18)
118. CITY0002646 (Email from Nancy Sen (Streets Department) to Daniel Lopez (ADA Coordinator) re: ADA Information for Meeting with Liberty Resources, 6/13/18)
119. CITY0002675-CITY0002676 (Email from Daniel Lopez to Nancy Sen and other Streets Department and City officials, 4/13/18) (Marked Confidential)
120. CITY0002679-0002684 (Email chain between Daniel Lopez and several City officials, such as Nefertiri Sickout and Nolan Atkinson and Charles Horton re: curb cut issues/complaints, 7/11/18)

121. CITY0002706- CITY0002708 (Email chain between Daniel Lopez, Nancy Sen, Nefertiri Sickout and Nolan Atkinson re: responding to Morgan Hugo's curb cut complaints, 7/11/18)
122. CITY0002709 (Response to Morgan Hugo's June 29, 2018 Email re: curb cut issues)
123. CITY0002718 (Email from Liam Dougherty to Daniel Lopez, 4/27/18)
124. CITY0002719 (Letter from Liam Dougherty to Daniel Lopez, 4/27/18- attached to CITY0002718)
125. CITY0002720-CITY0002725 (Email from Morgan Hugo to Nancy Sen, Charles Horton and Daniel Lopez re: curb cut issues, 6/29/18 & attachments)
126. CITY0002749- CITY0002756 (Email chain with Nefertiri Sickout, Nancy Sen and Daniel Lopez re: meeting to discuss responding to Morgan Hugo's June 29 email with complaints, June to July 2018); Ex. 32 to Sen Depo.
127. CITY0002759- CITY0002761 (Email from Daniel Lopez to Liam Dougherty re: City Services meeting follow up, 7/20/18)
128. CITY0002827- CITY0002833 (Email chain with Nefertiri Sickout, Nancy Sen and Daniel Lopez re: meeting to discuss responding to Morgan Hugo's June 29 email with complaints, June to July 2018)
129. CITY0002866 (Email from Nancy Sen to Charles Horton and Daniel Lopez re: FHWA Matter - ADA Complaint Response, 1/24/28)
130. CITY0002904- CITY0002907 (Request for Information: DOT #2016-0212, Harris v. City of Philadelphia)
131. CITY0002912- CITY0002915 (Email from Morgan Hugo to Nancy Sen re: additional curb cut issues and pictures, 4/3/18)
132. CITY0002916 (Picture of uneven bricks)
133. CITY0002943 (Streets Department's response to Morgan Hugo's June 29 email)
134. CITY0002968- CITY0002969 (Email from Charles Horton to Nancy Sen, Daniel Lopez and Nefertiri Sickout re: Morgan Hugo's email regarding technical assistance sidewalk accessibility question, 8/1/18)
135. CITY0003111- CITY0003113 (Email from Liam Dougherty re-sending Daniel Lopez attachment from initial email, 7/19/18)
136. CITY0003114 (Liberty Resources notes from meeting with Daniel Lopez, 6/14/18, attached to CITY0003111-13)
137. CITY0003216- CITY0003223 (Email chain with Daniel Lopez, Nancy Sen, Nefertiri Sickout and Charles Horton re: curb cut issues, 7/11/18)

138. CITY0003268- CITY0003270 (Email chain re: ramp installation at 9th and Arch, 7/19/18)
139. CITY0003310- CITY0003315 (Email chain re: problems with complaint-driven system for curb cut issues, 7/11/18)
140. CITY0003471- CITY0003472 (Knowledge Article- “How do I report a street or sidewalk being blocked?” February 13, 2020)
141. CITY0003488- CITY0003489 (Knowledge Article- “What is the Philadelphia Parking Authority?” April 6, 2020)
142. CITY0003490- CITY0003491 (Knowledge Article- “How do I complain about a Newsstand or Outdoor Café on the sidewalk?” November 14, 2019)
143. CITY0003499- CITY0003502 (Email chain with Ankitkumar Patel and Nancy Sen re: FHWA request, November 2017) (portions redacted by Defendant) (Marked “Confidential”)
144. CITY0003503- CITY0003510 (Draft Street Department Response (Records) re: FHWA request- attached to CITY0003499- 11/17/17) (Marked “Confidential”)
145. CITY0003511 (Draft Streets Department Response (Memo) re: FHWA request- attached to CITY0003499- 11/17/17) (Marked “Confidential”)
146. CITY0003512- CITY0003514 (Request for Information to Streets Department from FHWA re: discrimination complaint (Harris v. Philadelphia))
147. CITY0003521–CITY0003523 (Email chain with Nefertiri Sickout, Nancy Sen, Daniel Lopez and Charles Horton re: FHWA Matter- ADA Complaint Response, January to February 2018) (portions redacted by Defendant) (Marked “Confidential”)
148. CITY0003529 (Email from Nancy Sen to FHWA re: RFI Letter, 2/15/18) (portions redacted by Defendant)
149. CITY0003549- CITY0003585 (Letter from Nancy Sen to Khan Mitchell, HAD-PA DOT # 2016-0212, 2/14/18); Ex. 41 to Sen Depo.
150. CITY0003586 (Spreadsheet Listing Various Obstacle-Based Items (including “Fail to Clear Snow,” etc.) from 2015 to 2019)
151. CITY0003588 (ADA Ramp- Transition List, 5/5/20)
152. CITY0003589 (Philadelphia Roadway Network City & Non-City Responsibility as of 5/6/20)
153. CITY0003590- CITY0003761 (Six Year Capital Program for Fiscal Years 2018 to 2023; Capital Budget for Fiscal Year 2018; date of printing 10/4/17)
154. CITY0003762- CITY0003763 (Project: CW ADA Ramp Upgrade- Bid #3800, 8/21/19)

155. CITY0003764- CITY0003906 (Fiscal Years 2016-2021 Capital Program, City of Philadelphia, July 2015)
156. CITY0003907 (Curb Ramp As-Built Evaluation, 12/19/18)
157. CITY0003908- CITY0004065 (Fiscal Years 2013-2018 Capital Program, City of Philadelphia)
158. CITY0004066- CITY0004216 (Fiscal Years 2012-2017 Capital Program, City of Philadelphia)
159. CITY0004366 (Letter from Ankitkumar Patel to Consulting & Construction Firms, ADA Curb Ramp As Built Acceptance Memo, 12/27/18)
160. CITY0004367- CITY0004598 (City of Philadelphia Recommended Six Year Capital Program for Fiscal Years 2017-2022, Presented 3/3/16)
161. CITY0004599- CITY0004756 (Fiscal Years 2014-2019 Capital Program, City of Philadelphia)
162. CITY0005117- CITY0005326 (Six year Capital Program for Fiscal Years 2020-2025; Capital Budget for Fiscal Year 2020)
163. CITY0005327- CITY0005752 (Philadelphia Roadway Network Table, with email chain, 5/6/20)
164. CITY0005753- CITY0005760 (Memorandum re cancellation of four public works bids for Milling & Casting Adjustment Prep, 5/20/20); Ex. 23 to Carroll and Sen Depos.
165. CITY0005761- CITY0005926 (Six Year Capital Program for Fiscal Years 2021-2026; Capital Budget for Fiscal Year 2021; Revised Capital Program and Budget- May 1, 2020)
166. CITY0005927- CITY0005928 (Streets Department Plan for 2020 Street Resurfacing and ADA Curb Ramp Upgrade and Installation Project); Ex. 24 to Carroll, Sen and 30(b)(6) Depos.
167. CITY0005929- CITY0005934 (ADA Ramp Inspection Tool for 2020 Paving Season- draft user guide, 3/4/20)
168. CITY0005935- CITY0005936 (Ramp Inspection Checklist, 5/29/20)
169. CITY0005937- CITY0005938 (Criteria for Banning Pedestrian Crossing at an Uncontrolled Intersection)
170. CITY0005939 (Count of Service Requests from 2008-2020); Ex. 47 to 30(b)(6) Depo.
171. CITY0005940- CITY0005942 (Ramp & Crosswalk Update Tool- Intersection Summary Report, 5/26/20); Ex. 29 to Sen Depo.
172. CITY0005956 (Excel spreadsheet including resurfacing data from 1/1/93 to 6/16/20)
173. CITY0006095 (Excel Spreadsheet)

174. CITY0006096 (City of Philadelphia, Department of Streets- Adding Detectible Strip Area STD, 7/7/20); Ex. 44 to 30(b)(6) Depo.
175. CITY0006097- CITY0006124 (“Overview of apps for contract development of ramps triggered by paving,” 7/28/20)
176. CITY0006125 (Spreadsheet of intersections and number of ramps per intersection)
177. CITY0006126- CITY0006177 (“Overview of apps for contract development of ramps triggered by paving,” 11/9/20)
178. CITY0006188- CITY0006237 (Capital Budget: Philadelphia Streets Department, 11/1/20)
179. CITY0006253- CITY0006272 (Right of Way Unit- Philadelphia Streets Department)
180. CITY0006276- CITY0006277 (List of intersections and addresses)
181. CITY0006298 (All Priority Sidewalk Gaps- Draft, 2019)
182. CITY0006299 (Spreadsheet of data re permits and streets)
183. CITY0006300 (Spreadsheet of data re permits and streets)
184. CITY0006357 (Notice for ADA-Compliant Sidewalk Curb Ramps- Construction Trigger for Curb Ramp Upgrade, 6/16/20)
185. CITY0006358- CITY0006366 (ADA Ramp User Guide- Handling 311 Requests for ADA Ramps, 6/21/12)
186. CITY0006367 (Streets 311 Request- ADA Curb Ramp- Investigation Report, 1/30/12)
187. CITY0006370 (Spreadsheet tracking monthly 311 curb requests for curb ramps, January to December 2019)
188. CITY0006371 (Spreadsheet tracking monthly 311 curb requests for curb ramps, January to November 2020)
189. CITY0006671–CITY0006682 (New Updates for GPIS, 9/20/16)
190. CITY0006683–CITY0006699, CITY0006704, CITY0006706–CITY0006707, CITY0006709, CITY0006713– CITY0006714, CITY0006719–CITY0006724, CITY0006728–CITY0006762, CITY0006764, CITY0006767–CITY0006768, CITY0006771–CITY0006772, CITY0006774, CITY0006777, CITY0006782, CITY0006786 (Resurfacing Summary Reports)
191. CITY0006700 (Work Order ID: 382904, 3/11/14) (portions redacted by Defendant)
192. CITY0006792 (Excel spreadsheet reflecting resurfacing data for select intersections)

193. P000006–P000012 (Rina Cutler Deputy Mayor of Transportation Minutes of Meeting 8/7/09)
194. P000020–P000021 (Rina Cutler Deputy Mayor of Transportation, Agenda 1/22/10)
195. P000022–P000023 (Email chain with Nancy Salandra, German Parodi and others re: meeting with City, 7/6/10)
196. P000024–P000026 (Email chain with Nancy Salandra, German Parodi and others re: meeting with City, July 2010)
197. P000027–P000029 (Email chain with Nancy Salandra, German Parodi and others re: meeting with City, July 2010)
198. P000030–P000031 (Quarterly meeting with City of Philadelphia and Rina Cutler, July 29, 2010 Minutes)
199. P000032–P000035 (Meeting Summary: Meeting with ADAPT, July 29, 2010)
200. P000036–P000037 (Email chain with Nancy Salandra, German Parodi, Charles Carmalt and others re: Topics for 12/13 meeting, December 2010)
201. P000038–P000040 (Meeting Notes- Meeting with ADAPT, December 2, 2013)
202. P000041–P000045 (Agenda: Disabled in Action and Philly ADAPT, June 16, 2014)
203. P000059–P000065 (ADA Curb Ramp Partnership (final version): July 22, 2014 Follow-up Meeting)
204. P000066–P000073 (Thomas H. Earle, Esq. CEO, Liberty Resources, Inc., Written Testimony, Disability Services Committee Public Hearing, 11/30/15)
205. P000074–P000076 (Email chain from Morgan Hugo to Charles Horton re: ADA Curb Cuts, August 2016)
206. P000077–P000081 (Email chain and images from Morgan Hugo to Anne Kelly re: Curb Cuts need to be repaired in Old City, June 2017)
207. P000082–P000089 (Email chain and images with Morgan Hugo, Nancy Sen, Steve Mottershead and others re: Curb Cut Issues, March-April 2018)
208. P000090–P000092 (Email chain with Morgan Hugo, Nancy Sen, Steve Mottershead and others re: Curb Cut Issues, March-April 2018)
209. P000093 (Meeting with Daniel Lopez, Phila. ADA coordinator, June 14, 2018: Follow-up to our meeting)
210. P000094–P000097 (Email chain with Morgan Hugo, Nancy Sen and others re: Please address these curb cut issues, June-July 2018)
211. P000098–P000101 (Correspondence from City of Philadelphia (Nefertiri Sickout) to Mr. Liam Dougherty, 7/30/18)

- 212. P000102–P000108 (Email chain and images from Liam Dougherty to Daniel Lopez, Nolan Atkinson and Nefertiri Sickout re: City Services Meeting follow-up, June-August 2018)
- 213. P000109–P000116 (City of Philadelphia’s letter response and email chain re: Right-to- Know Request from Morgan Hugo, August-September 2018)
- 214. P000117–P000119 (City of Philadelphia’s letter response to Right-to- Know Request from Torie Atkinson, 12/28/18)
- 215. P000120–P000206 (City of Philadelphia’s Provider Agreement with Milligan & Company, LLC, 4/4/18)
- 216. P000208–P000230, P000234–P000245, P000248–P000284, P000286, P000288, P000293, P000296–P000322, P000324–P000341 (Photographs)
- 217. P000349–P000351 (ADAPT List of Mobility Issues - - 15-Dec-2009)
- 218. P000353–P000355 (Email chain with German Parodi and Charles Carmalt re: Next meeting with ADAPT, November 2009)
- 219. P000356 (Email chain with German Parodi and Charles Carmalt re: Next meeting with ADAPT, November 2009)
- 220. P000365 (Email with German Parodi and Charles Carmalt re: Curb ramp issues, 8/18/10)
- 221. P000372 (Meeting Summary: Meeting with ADAPT, July 29, 2010)
- 222. P000380–P000382 (Email chain with German Parodi and Charles Carmalt re: Meeting with Deputy Mayor Cutler, May 2013)
- 223. P000383–P000385 (Email chain with German Parodi and Charles Carmalt re: Meeting with Deputy Mayor Cutler, May 2013)
- 224. P000386–P000387 (Email chain with German Parodi and Charles Carmalt re: Topics for our meeting 12/13; December 2, 2010)
- 225. P000389-P000392 (Email chain with German Parodi and Charles Carmalt re: ADAPT meeting with Deputy Mayor Rina Cutler, May-October 2013)
- 226. P000393-P000398 (Email chain with German Parodi and Charles Carmalt re: ADAPT meeting with Deputy Mayor Rina Cutler, May-October 2013)
- 227. P000397-P000399 (Email chain with German Parodi and Charles Carmalt re: ADAPT meeting with Deputy Mayor Rina Cutler, July-November 2013)
- 228. P000400-P000402 (Email chain with German Parodi and Charles Carmalt re: ADAPT meeting with Deputy Mayor Rina Cutler, May-July 2013)
- 229. P000409-P000416 (Email chain with German Parodi and Charles Carmalt re: ADAPT meeting- select a date in June, with attached meeting notes from December 2, 2013; April-June 2014)

230. P000417-P000425 (Email chain with German Parodi and Charles Carmalt re: ADAPT meeting- select a date in June, with attached meeting notes from December 2, 2013; April-June 2014)
231. P000426-P000428 (Email chain with German Parodi and Charles Carmalt re: Meeting Request with Streets Dept ASAP, June-July 2014)
232. P000430-P000431 (Email chain with German Parodi and Charles Carmalt re: Meeting Request with Streets Dept ASAP, June-July 2014)
233. P000432-P000436 (Email chain with German Parodi and Charles Carmalt re: Meeting Request with Streets Dept ASAP, June-July 2014)
234. P000437-P000443 (Email from Charles Carmalt to German Parodi enclosing Meeting Notes- Meeting with ADAPT, June 16, 2014; 10/24/14)
235. P000451-P000457 (Email and images from German Parodi to Charles Carmalt re: Curbcut Photos for SEPTA, January 2014)
236. P000458- P000459 (Email chain and images between Morgan Hugo, Steve Mottershead and Nancy Sen re: Curb Cut Issues, March-April 2018)
237. P000465-P000467 (Email chain between Liam Dougherty and Daniel Lopez re: City Services Meeting follow-up, July 2018)
238. P000471-P000478 (Email chain between Morgan Hugo, Nancy Sen and Steve Mottershead re: Curb Cut Issues, March-April 2018)
239. P000491-P000492 (Email between Liam Dougherty and Daniel Lopez re: Agenda for the Meeting Tomorrow, 6/13/18)
240. P000493-P000494 (Email between Liam Dougherty and Nancy Salandra re: Minutes from Lopez meeting, 6/18/18)
241. P000507-P000509 (Email between Liam Dougherty and Nancy Salandra re: curbcut letter draft, 9/26/18)
242. P000510-P000512 (Liberty Resources memo)
243. P000515 (City of Philadelphia press release: ADA Curb Ramp Upgrades and Raised Crosswalks Project Begins for the 100 and 200 blocks of Market Street, 10/12/18)
244. P000516 (Correspondence from Liberty Resources to Nolan Atkinson)
245. P000519- P000526 (Photographs)
246. P000567-P000570 (Email between Morgan Hugo and Nancy Sen re: technical assistance sidewalk accessibility question, August 2018)
247. P000534–P000539, P000550–P000561 (Photographs)
248. P000627-P000632 (Email chain with images from Morgan Hugo re: Curb Cuts, December 2018)P000671-P000673 (Email chain between Morgan Hugo, Nancy Sen and Charles Horton re: New Curb Cut to address, September 2018)

- 249. P000676-P000679 (Email chain from Morgan Hugo to City of Philadelphia re Right-to-Know Request- Curb Cuts, August 2018)
- 250. P000878-P000881 (Email chain between Morgan Hugo and Nancy Sen re: Curb Cut Issues, March-April 2018)
- 251. P000899-P000907 (Email chain between Morgan Hugo and Charlotte Castle re: Vision Zero comments, 7/14/17)
- 252. P000923-P000924 (Email from Morgan Hugo to Jennifer Kates and Shanee Graner re: ADA Curbut [sic] Program, 1/20/17)
- 253. P000930-P000934 (Email chain between Morgan Hugo to Charles Horton re: ADA Curb Cuts, August 2016)
- 254. P001113-P001128 (Email chain with images between Moran Hugo, Nancy Sen, Charles Horton and Daniel Lopez re: Please address these Curb Cut Issues, June-September 2018)
- 255. P001129-P001151 (Right-to-Know Request Form with attachments, submitted by Morgan Hugo, 8/29/18)
- 256. P001252 (meeting with Daniel Lopez Phila. ADA coordinator, 6/14/18)
- 257. P001253-P001254 (Quarterly meeting with City of Philadelphia and Rina Cutler: July 29, 2010 Minutes)
- 258. P001255-P001257 (Email chain between Morgan Hugo and City representatives re Right-to-Know Request- Curb Cuts, 8/30/18)
- 259. P001258-P001259 (Right-to-Know response from City of Philadelphia to Morgan Hugo, 9/17/18)
- 260. P001261 (Street Department- ADA Unit's Response)
- 261. P001267 (Email from German Parodi to Charles Carmalt re: Meeting Request with Streets Dept ASAP, 6/23/14)
- 262. P001268-P001272 (Email chain between German Parodi and Charles Carmalt re: ADAPT meeting with Deputy Mayor Rina Cutler; May-October 2013)
- 263. P001273-P001278 (Email chain between German Parodi and Charles Carmalt re: ADAPT meeting with Deputy Mayor Rina Cutler; May-October 2013)
- 264. P001279-1284 (Email chain between German Parodi and Charles Carmalt re: ADAPT meeting with Deputy Mayor Rina Cutler; May-October 2013)
- 265. P001285-P001289 (Email chain between German Parodi and Charles Carmalt re: ADAPT meeting with Deputy Mayor Rina Cutler; May-October 2013)
- 266. P001293-P001296 (Draft agenda and Email chain re meeting on July 29, 2010)
- 267. P001311-P001338, P001340 (Photographs)

- 268. P001341 (Video)
- 269. P001343–P001348, P001350–P001352, P001355 (Photographs)
- 270. P001357–P001360 (Email chain between Morgan Hugo and Charles Horton re: ADA Curb Cuts, August 2016)
- 271. P001366–P001368 (Email chain between Morgan Hugo and Nancy Sen re: Curb Cub Issues, March-April 2018)
- 272. P001369–P001375 (Email chain between Morgan Hugo and Nancy Sen re: Curb Cub Issues, March-April 2018)
- 273. P001376–P001383 (Email chain between Morgan Hugo and City representatives attaching response to Right-to-Know Request, August-September 2018)
- 274. P001384-P001286 (Email from Morgan Hugo to Rodney Whitmore re: Curb Cuts Submitted Recently, 6/15/18)
- 275. P001387-P001391 (Email chain from Morgan Hugo to Nancy Sen, Charles Horton and Daniel Lopez re: Please address these Curb Cuts [sic] Issues, June-July 2018)
- 276. P001401–P001403, P001410–P001412, P001422–P001463, P001465–P001472, P001481, P001483–P001498, P001500–P001527, P001529–P001531, P001533–P001539, P001541–P001623, P001625–P001643, P001646, P001895–P001984 (Photographs)

In addition, Plaintiffs reserve the right to offer or use the following exhibits and/or documents:

- 1. Any exhibits listed by Defendant.
- 2. All deposition exhibits.
- 3. All exhibits, papers, records, and writings provided by any party in this case and/or attached to pleadings, papers, motions or other filings in this case.
- 4. All exhibits, papers, records, or writings attached to, filed with, or referenced in prior filings in this case.
- 5. All expert witness reports, reliance material, and other materials generated in preparation for trial of this lawsuit.
- 6. Any newly discovered evidence, records, reports, and exhibits.
- 7. Any judicially noticeable materials.

Plaintiffs reserve any and all objections to any and all exhibits listed by Defendant.

DATED: November 1, 2021

Rebecca J. Sobie

Rebecca J Sobie*
rsobie@dralegal.org
(No NY Bar No., CA Bar No. 179562)
Rebecca Serbin*
rserbin@dralegal.org
DISABILITY RIGHTS ADVOCATES
655 Third Avenue, 14th Floor
New York, NY 10017-5621
Tel: (212) 644-8644

Meredith J. Weaver*
mweaver@dralegal.org
DISABILITY RIGHTS ADVOCATES
2001 Center Street, Fourth Floor
Berkeley, CA 94704-1204
Tel: (510) 665-8644

David Ferleger
david@ferleger.com
DAVID FERLEGER LAW OFFICE
413 Johnson St.
Jenkintown, PA 19046
Tel: (215) 887-0123

Attorneys for Plaintiffs

**Admitted Pro Hac Vice*

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

LIBERTY RESOURCES, INC.;
DISABLED IN ACTION OF
PENNSYLVANIA, INC;
PHILADELPHIA ADAPT; TONY
BROOKS; LIAM DOUGHERTY; FRAN
FULTON; and LOUIS OLIVO,

Plaintiffs,

-against-

THE CITY OF PHILADELPHIA,

Defendant.

No. 19-cv-03846

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **PLAINTIFFS' RULE 23(a)(3) PRETRIAL**

DISCLOSURES were served on Defendant's counsel by email to all counsel of record on
November 1, 2021.



Rebecca J Sobie*

rsobie@dralegal.org

DISABILITY RIGHTS ADVOCATES

655 Third Avenue, 14th Floor

New York, NY 10017-5621

Tel: (212) 644-8644

Attorney for Plaintiffs

**Admitted Pro Hac Vice*